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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/501,238 | 10/21/2004 | Ana Chudzinski-Tavassi | 4705-0105PUS1 | 5260 |
| 2292 7590 12/04/2008 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747 | | | | |
| EXAMINER ALLEN, MARIANNE P | | | | |
| ART UNIT 1647 | | PAPER NUMBER | | |
| NOTIFICATION DATE 12/04/2008 | | DELIVERY MODE ELECTRONIC | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
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| 10501238 | 10/21/2004 | CHUDZINSKI-TAVASSI ET AL. | 4705-0105PUS1 |

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

Marianne P. Allen

| ART UNIT | PAPER |
|----------|----------|
| 1647 | 20081125 |

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Commissioner for Patents

The reply filed on 9/2/08 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The response filed 2/28/08 cancelled claims 1-19 and added new claims 20-23. Applicant was advised in the communication mailed 7/30/08 that the new claims were directed to a non-elected invention. However, applicant's present response provides an improper set of claims. Claims 16-19 have been reintroduced and new claims 20-26 have been added. Instant claims 20-23 do not correspond to the previously submitted claims 20-23. This is improper. It appears that applicant should have cancelled claims 20-23 as submitted on 2/28/08 and added all of the present claims with the numbering beginning at claim 24. Applicant is advised that the claims of the 9/2/08 response have not been entered because this claim set is improper and that the status of the claims is presently claims 1-19 cancelled and claims 20-23 (as submitted on 2/28/08) pending. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

/Marianne P. Allen/
Primary Examiner, Art Unit 1647